IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
WRIT PETITION NO. 1891 (SS) OF 2005

Rishipal Singh, S/o Sri Raghu Nath Singh,
Presently working as Assistant Teacher,
Junior High School Suyal Gadj,
Vikas Khand Ramgarh, Nainital. .....Petitioner.

Versus

1. Joint Director Education, Nainital.
2. Basic Shiksha Adhikari, Udham Singh Nagar.
3. Basic Shiksha Adhikari, Nainital.

.....Respondents.

19.12.2005

Hon'ble Rajesh Tandon, J.

Heard Sri S.S. Yadav, learned counsel for the petitioner and learned Standing Counsel. Parties have agreed that the writ petition may be disposed of at the admission stage.

By the present writ petition, the petitioner has prayed for a writ of mandamus directing the respondents to relieve the petitioner for the District Udham Singh Nagar from district Nainital on the vacant post of Assistant Teacher.

Contention of the petitioner is that the petitioner was appointed as Assistant Teacher in Basic School in District Nainital. In the year, 1995, a new district namely Udham Singh Nagar was bifurcated from District Nainital, pursuant to the bifurcation, options were invited from the petitioner and he has opted for District Udham Singh Nagar. The petitioner has made several representations before the authority concerned to relieve them for the district they have opted. Till date the respondents have not taken any decision on the representation and they are not being relieved to district Udham Singh Nagar.

In view of the aforesaid facts, I direct the joint Director Education (Basic) Kumaun Division, Nainital, if he is holding the charge of Basic Schools and in case he is not holding the

charge of the Basic Schools, the authority who is Incharge of the Basic Schools the region, shall decide the representation moved by the petitioner within a period of four weeks from the date of receipt of a certified copy of this order. The petitioner is directed to place the copy of this order along with their representation before the Joint Director of Education Basic Kumaun Region, Nainital In-charge Regional Basic School Kuamun Mandal within two weeks from today.

With these directions, the writ petition is finally disposed of at the admission stage. No order as to costs.

(Rajesh Tandon, J.)

19.12.2005
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